United Nations S/2007/721

Security Council

Distr.: General
7 December 2007
English
Original: French

Letter dated 31 August 2007 from the Secretary-General addressed to the President of the Security Council

In his letter to the President of the Security Council dated 12 July 2004 (S/2004/567), the previous Secretary-General informed the President of his decision to appoint a Special Adviser on the Prevention of Genocide, following the Council's invitation, in its resolution 1366 (2001), to refer to the Council information and analyses from within the United Nations system on cases of serious violations of international law, including international humanitarian law and human rights law.

At the end of May 2007, I appointed Mr. Francis Deng as the new Special Adviser for the Prevention of Genocide and Mass Atrocities, succeeding Mr. Juan Méndez. In a continuing effort to strengthen the United Nations role in this area, I asked Mr. Deng to devote himself full-time to this position. Meantime, I have decided to change his title to that of Special Representative of the Secretary-General to better reflect the role and scope of his mandate. In 2008, I intend to request an upgrade of Mr. Deng's position to the Under-Secretary-General level, and will include this proposal in the 2008 budget estimates to be submitted to the General Assembly. By making Mr. Deng full-time and by upgrading the level of the post to that of Under-Secretary-General, I would be implementing the recommendations of the Advisory Committee on Genocide Prevention. As you are aware, and in line with the recommendations of the Advisory Committee on the Prevention of Genocide, the title of Special Representative has been changed by adding "mass atrocities" to make it broader in scope without the need to determine first whether a specific situation has a "genocidal" character or not.

To enable the Special Representative to have greater operational impact and in recognizing the link between large scale atrocities and threats to peace and security, his office needs to be strengthened. As part of this effort, and based on the agreement contained in paragraphs 138 and 139 of the 2005 World Summit Outcome Document, I intend to designate a Special Adviser on the Responsibility to Protect at the level of Assistant Secretary-General, on a part-time basis. Recognizing the fledgling nature of agreement on the responsibility to protect, the Special Adviser's primary roles will be conceptual development and consensus-building.

I intend to appoint on a when-actually employed basis (WAE), Mr. Edward Luck, a distinguished international scholar with extensive knowledge of the United Nations system and a superb reputation for academic and practical excellence, to this position. Given the complementarity of the prevention of genocide and mass atrocities and the responsibility to protect, Mr. Luck will work

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under the over-all guidance of Mr. Deng to ensure consistency in the United Nations approach. For reasons both of efficiency and of the complementarity of their responsibilities, they will share an office and support staff.

As the Special Representative and the Special Adviser develop and implement their mandates, they will closely consult and coordinate with the Department of Political Affairs of the Secretariat and the High Commissioner for Human Rights, including in the context of their field presences and link to the United Nations human rights Treaty Bodies and Special Procedures.

I would be grateful if you could bring this to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon